

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

STANLEY PRICE,

Plaintiff,

Case No. 09-13081

HON. BERNARD A. FRIEDMAN

vs.

MICHIGAN STATE TREASURER,

Defendant.

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MEMORANDUM OPINION AND ORDER

This matter is before the Court on Magistrate Judge Virginia M. Morgan's Report and Recommendation ("R and R") dated June 17, 2010, recommending that the Court deny Defendant's Motion to Dismiss. Defendant filed an objection.

This Court has had an opportunity to fully review this matter and the parties' filings, and believes that the Magistrate Judge has reached the correct conclusions for the proper reasons. Defendant's objection to the R and R is inappropriate, as it raises new arguments which were not before the Court in the underlying motion and, accordingly, were not addressed in the R and R. However, as the R and R expressly provides Plaintiff with an opportunity to file a more definite statement, which Plaintiff has done, the Court will permit the parties to file dispositive motions within 30 days of the date of this Order.

ACCORDINGLY:

IT IS HEREBY ORDERED that Magistrate Judge Virginia M. Morgan's Report and Recommendation dated June 17, 2010, is hereby accepted and adopted.

IT IS FURTHER ORDERED that Defendant's Motion for Summary Judgment is
DENIED.

IT IS FURTHER ORDERED that the parties may file dispositive motions within 30 days
of the date of this Order.

Dated: September 17, 2010
Detroit, Michigan

s/Bernard A. Friedman_____
BERNARD A. FRIEDMAN
UNITED STATES DISTRICT JUDGE

I hereby certify that a copy of the foregoing document
was served upon counsel of record by electronic and/or first-class mail.

S/Carol Mullins
Case Manager to Judge Friedman